

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON WASHINGTON DC 20301-3000



August 20, 1997

In reply refer to DFARS Case: 97-D013 D. L. 97-016

MEMORANDUM FOR DIRECTORS OF DEFENSE AGENCIES

DEPUTY FOR ACQUISITION AND BUSINESS MANAGEMENT,

ASN (RD&A) /ABM

DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE (CONTRACTING), SAF/AQC

ASSISTANT DEPUTY ASSISTANT SECRETARY OF THE ARMY (PROCUREMENT) / DIRECTOR FOR CONTRACTING

DEPUTY DIRECTOR (ACQUISITION), DEFENSE LOGISTICS AGENCY

SUBJECT: Revision of DFARS Regarding Contract Action Reporting

We have amended the Defense Federal Acquisition Regulation Supplement (DFARS) to revise DD Form 350 and DD Form 1057 contract action reporting requirements to comply with the Clinger/Cohen Act of 1996 (Pub. L. 104-106) and to enhance data collection procedures.

The attached final DFARS rule is effective on October 1, 1997, and will be included in a future Defense Acquisition Circular.

Eleanor R. Spector

Director, Defense Procurement

Attachment

cc: DSMC, Ft. Belvoir



Final Rule DFARS Case 97-D013

Revision of DFARS Regarding Contract Action Reporting

SUBPART 204.6 CONTRACT REPORTING

204.600 Scope of subpart.

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204.670 Defense Contract Action Data System (DCADS).

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204.670-2 Reportable contracting actions.

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(c) Do not report on a DD Form 350, contingency actions defined in 213.101. Summarize these actions on a [on the monthly] DD Form 1057[,] in accordance with the instructions in 253.204-71(a)(3)[, contracting actions that support a contingency operation (see 213.000) and that obligate or deobligate funds exceeding \$25,000 but not exceeding \$200,000].

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253.204 Administrative matters.

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253.204-70 DD Form 350, Individual Contracting Action Report.

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(b) Part B of the DD Form 350.

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(10) BLOCK B10, MULTIYEAR CONTRACT.
Enter one of the following codes:

(i) <u>Code Y- Yes</u>. Enter code Y when the contracting action is a multiyear contract as defined at FAR 17.101[103]. Do not report contracts containing options as multiyear unless the definition at FAR 17.101[103] applies to the contract.

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(13) BLOCK B13, KIND OF CONTRACTING ACTION.

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(i) BLOCK B13A, CONTRACT/ORDER.

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(C) Code 4 - Order under an Agreement. Enter code 4 when the contracting action is an order or definitization of an order under an agreement [other than a blanket purchase agreement]. Examples include an order exceeding \$25,000 under a basic ordering agreement or a

master ship repair agreement and a job order when the contract is created by issuing the order. A blanket purchase agreement call is coded 6 or 9, as appropriate. [A call under a blanket purchase agreement associated with a Federal Supply Schedule, pursuant to FAR 13.202(c)(3), is coded 6. A call under other blanket purchase agreements, pursuant to FAR Subpart 13.2, is coded 9.] When the contracting action is a modification to an order described in code 4 instructions, enter code 4 in B13A.

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Using Simplified Acquisition Procedures. Enter code 9 if the contracting action, including an action in a designated industry group under the Small Business Competitiveness Demonstration Program (FAR Subpart 19.10), is an award pursuant to FAR Part 13, except when the contracting action is a blanket purchase agreement call pursuant to FAR 13.202(c)(3)(see code 6). When the contracting action is a modification to an [purchase] order/call described in code 9 instructions, enter code 9 in B13A.

[(14) BLOCK B14, CICA APPLICABILITY. Enter one of the following codes:

(i) <u>Code A - Pre-CICA</u>. Enter code A if the action resulted from a solicitation issued before April 1, 1985. Modifications within the original scope of work of such awards and orders under pre-CICA indefinite delivery type contracts are reported as pre-CICA. In the case of modifications issued on or after April 1, 1985, coded A in B13 or B13D, as appropriate, CICA is applicable to the modification, and these actions shall be coded B in Block B14.

(ii) <u>Code B - CICA Applicable</u>. Enter code B if the action resulted from a solicitation issued on or after April 1, 1985, and none of the following codes applies.

(iii) <u>Code C - Simplified Acquisition</u>

Procedures Other than FAR Subpart 13.6. Enter code C if the action resulted from use of the procedures in FAR Part 13, other than those in Subpart 13.6.

- (iv) Code D Simplified Procedures

 Pursuant to FAR Subpart 13.6. Enter code D if the action
 resulted from use of the procedures in FAR Subpart 13.6.]
 - (c) Part C of the DD Form 350.
- (1) Part C gathers data concerning contracting procedures, use of competition, financing, and statutory requirements other than socioeconomic (which are in Part D).
- (2) Do not complete Part C if the contracting action is an action with a government agency, i.e., Block B5B (Government Agency) is coded Y (Yes). [If Block B13A is coded 6, do not complete any blocks in Part C except Block C3, and Blocks C13A and C13B when they apply.]

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(4) Complete Part C blocks as follows-

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(xi) BLOCK C11, CERTIFIED COST OR PRICING DATA.

Enter one of the following codes when Block BlB is coded A. Otherwise, leave blank.

- (A) <u>Code Y Yes Obtained</u>. Enter code Y when <u>certified</u> cost or pricing data were obtained <u>for the</u> <u>contracting action reported</u> (see FAR 15.804-2) [and certified in accordance with FAR 15.804-4].
- (B) <u>Code N No Not Obtained</u>. Enter code N when <u>eertified cost or pricing data were not obtained because data were not required (see FAR 15.804-2) or an exemption was granted (see FAR 15.804-3(a)-(g)) [neither Code Y nor Code W applies].</u>
- (C) Code W Not Obtained Waived. Enter code W when certified cost or pricing data were not obtained because the requirement was waived (see FAR 15.804- $\frac{3(i)}{1(a)}$ and DFARS 215.804- $\frac{3(i)}{1(b)}$ [1(b) (4]).

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(d) Part D of the DD Form 350.

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(5) Complete Part D blocks as follows:

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(vii) BLOCK D7 - SMALL BUSINESS INNOVATON RESEARCH (SBIR) PROGRAM. Enter one of the following codes. When Block B1B is coded B or C and Block B13A is coded 5, leave Block D7 blank.

Phase I/II[/III]. Enter code A if the action is not in support of a Phase I[,] or III] SBIR program.

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- [(D) <u>Code D SBIR Program Phase III</u>

 <u>Action</u>. Enter code D if the action is related to a Phase III

 contract in support of the SBIR Program.]

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 - (e) Part E of the DD Form 350.

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- (4) BLOCK E4 [CONTINGENCY OPERATION. Enter code Y in Block E4 if the contracting action is in support of a contingency operation, as defined in 213.101, and the action exceeds the simplified acquisition threshold for contingency operations (see 213.000). Otherwise, leave Block E4 blank.
- (5) BLOCK E5 -] BLOCK E8 RESERVED.

253.204-71 DD Form 1057, Monthly Contracting Summary of Actions \$25,000 or Less.

- (a) Scope of subsection.
- (3) Include [Report] actions [of \$25,000 or less] in support of a contingency operation [in accordance with the instructions in paragraphs (c) through (j) of this subsection. Report actions exceeding \$25,000 but not exceeding \$200,000 in support of a contingency operation] (see 213.000) on the [monthly] DD Form 1057 as follows:
 - (i) Section A, complete fully.

(ii) Section B, complete only [the applicable] lines [are] 5, 5a, 7, and 7a.

(iii) [(ii)] Section C, complete only [the applicable] lines [are] 1 and 1c, 2 and 2c, [and] or 3 and 3c, as applicable.

 $\frac{\text{(iv)}}{\text{[(iii)]}}$ Sections D, E, and F, $\frac{\text{blank}}{\text{blank}}$ [are not applicable].

(v)[(iv)] Section G, complete fully.

(vi) Section H, complete fully.

253.303-350 (See attached)

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	81. CONTRACT IDENTIFICATION INFORMATION									82. MODIFICATION, ORDER OR OTHER ID				B3. ACTION B4. COMPLETION DATE		
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